



**REGULAR MEETING OF THE COMMON COUNCIL  
MIDDLETOWN CONNECTICUT  
DECEMBER 7, 2015**

The Regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, December 7, 2015 at 7 p.m.

**Present**

Mayor Daniel T. Drew, Corporation Counsel Daniel B. Ryan, Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; Sergeant-at-arms John Haddad; and Council Clerk Marie O. Norwood.

**Also Present**

Eighty members of the public.

**1. Mayor calls meeting to order at 7 p.m.**

A. (Pledge of Allegiance)

The Chair opens the meeting at 7 p.m. and asks the Middletown Tigers to lead the public in the Pledge of Allegiance.

The Chair thanks the team for doing the Pledge. Welcome everyone to the regular Common Council Meeting. He wishes everyone a Merry Christmas and currently a Happy Hanukah and Happy Kwanza.

B. (Council Clerk Reads the Call of the Meeting and Mayor declares call a legal call and meeting a legal meeting.)

The Chair declares the call a legal call and the meeting a legal meeting.

**2. Accept/Amend the Agenda.**

Councilman Thomas J. Serra reads and moves for approval amending the Agenda by adding agenda item 9I, Contingency Fund Transfer and substituting agenda item 12, Mayor's Appointments. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Eugene P. Nocera. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**3. Presentations**

A. **Honoring Hope P. Kasper**  
(Approved)

**Resolution No. 138-15**

**File Name cckasperretire2015**

**WHEREAS**, Hope P. Kasper was sworn in on November 13, 2007 as a member of the Common Council; and

**WHEREAS**, she sat on Insurance and Claims for four terms of office; she has made the Council aware of many ways to help reduce insurance costs and encouraged a bid process for City insurance which led to a \$3,000,000 savings on health insurance benefits; and

**WHEREAS**, she sat on the Finance and Government Operations Commission for four terms; during that time, she worked on the Democratic Caucus Budget subcommittee to help produce a sound, balanced budget which helped reduce the mill rate and protect City services; and

**WHEREAS**, for three terms she sat on the Retirement Board; Hope was the first woman to sit on this Board, elected by the Union membership in 1989. She continued as a Council Member on the Board through her four terms; during her tenure from 1989, the retirement fund grew from \$86,000,000 to \$400,000,000, using investment strategies put in place by the Board. The fund pays all retirement benefits and has not used taxpayer contributions for the general worker. Hope also negotiated a Deferred Compensation plan through payroll deduction for City employees; and

**WHEREAS**, Hope also sat on the Public Safety Commission for two terms where she has advocated for a new Animal Shelter which will save taxpayer dollars; she sat on the former Personnel Review Committee and proposed and enacted through the Council an automobile policy for City employees and accountability for accidents; as a member of the Water Pollution Control Authority, she worked to promote water and sewer options for the Middle Street area to promote economic development; she also served a term on the Economic Development Commission and two on the Ordinance Study Commission; and

**WHEREAS**, Hope retired after 22 years of service with the City of Middletown working for the Planning and Zoning Department, Public Works' Building Department, and the Police Department as its budget analyst; she served as the Secretary and Treasurer of the Municipal Employees Building Association; and

**WHEREAS**, she is a former member and officer of the American Federation of State, County, and Municipal Employees Union; she is a former Union Staff Representative of Connecticut Independent Labor Union; She is Treasurer and community member of the Valley View Children's Center; she is the Treasurer of the Center for Patient Safety a group that pursues safer environments for hospital care; and

**WHEREAS**, Hope served two terms on the Middletown Board of Assessment Appeals and served on the Middletown Conservation Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we thank Hope P. Kasper for her eight years of service on the Common Council. Through personal challenges, she has kept the City's and the taxpayers' needs in the forefront of her assessments and decisions made while on the Council; and

**BE IT FUTHER RESOLVED:** That we wish Hope good health and happiness in all her future endeavors. She is a role model for other citizens to become involved and lend their voices to the decisions facing their community.

The Chair states without objection, the resolution is approved by acclamation. Councilwoman Kleckowski states she has known Hope for many years when she ran for State Senate. They have had many conversations on grandkids and kids and the most important thing is her commitment to the City and the forefront of woman's issues. It is important for Hope to have the female voice heard and we would differ; thank you for forging the road for serving on commissions and serving and stepping forward putting forth her opinion whether it was received well or not. Hope thank you for your service as a Councilwoman but also as grandparent and parent. Councilwoman Serra states Hope, I would think that her middle initial is P and I thought it was for Passion. That is what it stands for. When my son was in the accident, Hope called many times to discuss nurses and that anyone coming in should be scrubbing in and out. I will miss her on the Caucus' Finance Committee where she and Councilman Faulkner would input their ideas. We will miss you very much. Councilman Faulkner states he has been chair of Insurance and Claims for a number of years and I appreciated her knowledge and understanding of insurance. It did save us a lot of dollars in the things we do and I will miss her dearly on that and the budget process. Hopefully you will accept my calls. Enjoy your time. Former Councilwoman Kasper states thank you; I will miss our conversations Grady. I will stay involved. Thank you. She receives a standing ovation.

## **B. Honoring Middletown Tiger Youth Football U9 Team (Approved)**

### **Resolution No. 139-15**

**File Name** ccmiddletowntigeryouthfootballchamps2015

**WHEREAS**, the 9U Middletown Tiger Youth Football League team, captured the Colonial Conference Championship and went on to win the 9U American Youth Football Connecticut State Championship; and

**WHEREAS**, the team finished the season 10 – 1; they started the season with a loss to Meriden. For the Colonial Conference, they played New Britain and won with a substantial 50 – 19 win for the title. As the Colonial Conference winners, they faced East Hartford for the Connecticut American Youth Football Championship and beat East Hartford 58 – 48 to become the State Champions; and

**WHEREAS**, the team, led by Head Coach Phil Nanfito and Coaches Bob Spadaro, Carlos Ruiz, Jr., and Jay Nanfito stressed teamwork and sportsmanship that led the team to work together throughout the season, overcoming their initial loss to win the next ten games; and

**WHEREAS**, Team Captains Jaeden Linkovich, Achillius White, Anthony Nanfito, and Caremlo Ruiz, along with team members, Isaiah Carrillo, Kazia Smallwood, Quadir Murphy, Kaylon Allen, Rafael Iguina, Jr., Raekwon Shabazz, Lucas Callinan, Maxwell Theis, Taverus Jefferson, Robert Spadaro III, and Annand Grady became known as the "Little 15" for their athleticism and teamwork that led to their winning season; and

**WHEREAS**, the Offensive line, led by Quarterback Quadir Murphy averaged 16.3 yards per play and 59 touchdowns for the season; they outscored their opponents by 204 points; Achillius "Chili" White rushed for 2,892 yards with 116 carries and 50 touchdowns; and

**WHEREAS**, the Defensive line held opponents to 181 points and five yards per play; they held East Hartford to six yards per play and set a record for a State Championship Game with four sacks.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate the 9U Middletown Tiger Youth Football League Team known as the "Little 15" and their Coaches for a successful season and capturing the Connecticut State Championship of American Youth Football; this accomplishment from this talented team brings recognition to Middletown and to the Middletown Tiger Youth Football program. Their record is a tribute to their coaches and the dedication and diligent teamwork of the team; and

**BE IT FURTHER RESOLVE:** That we wish the Coaches and Team Members good luck in their future endeavors.

Fiscal Impact: None

The chair asks the entire team and their coaches to come forward and asks the team to stand in front of the dais. Councilman Santangelo is wearing a Middletown Tiger Sweatshirt and reads the first half of the resolution for approval. Councilman Serra asks the coach to read the next paragraph that includes the names of the team and then reads the rest of the resolution. The chair states without objection, the resolution is approved d by acclamation. Councilman Serra states you have brought honor to the citizens of Middletown and you learned dedication, teamwork and determination and you will have fond memories of this past year. I played for Middletown in the ancient times. I remember what I learned and it helped me my entire life. Football is like life and we are very proud of you. We are both Middletown Tigers. Congratulations. The Coach thanks the Council for recognizing the 9U team. They did not have regionals and hopes to move on to the national championship. Thank you to the City of Middletown for this honor and he thanks his team. Councilman Pessina states to his former Tigers in the 1960's and being a Tiger and Middletown sports champions. Save the pictures. I hope I am around when you bring the State champion for the High School. The Team receives a standing ovation.

**4. Mayor requests motion to approve minutes of:**

The minutes having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council member, the reading of the same having been dispensed with, the Chair requests a motion to approve the minutes. Councilwoman Deborah A. Kleckowski reads and moves for approval the minutes of November 2, 2015 at 6 p.m. and Special Meetings of November 2, 2015 at 6 p.m., November 10, 2015 at 7 p.m. and November 17, 2015 at 7 p.m. Councilman Sebastian N. Giuliano seconds the motion.

Councilman Blanchard and Councilwoman Bartolotta abstain from the minutes of November 2, 2015 at 6 p.m. and Councilman Blanchard abstains from the minutes of the regular meeting held on November 2, 2015.

The chair calls for the vote. It is 9 aye votes by Councilman Thomas J. Serra, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Eugene P. Nocera. The Chair states the matter carried with 9 affirmative votes, 0 in opposition and 1 absent.

**5. Public Hearing on Agenda Items Opens.**

The Chair opens the public hearing on agenda items at 7:22 p.m. He asks members wishing to address agenda items to come forward and state their name and address for the record and please keep comments to within five minutes and only on agenda items.

Betsy Morgan executive Director Oddfellows and speaks to 7B the appropriation for the Arts Office. She states they changed to a full day circus program is a wonderful gift to parents. Over 80% of parents ask for a full day program and it has taken a while to figure out how to do it. Moving to a full day gives us a chance to become a great program. You will see a rise in standards. The other adjustments will help with that. We think we have brought this in at a reasonable cost. It is transforming a program of 150 kids and hopes you can support it.

Ron Organek, President of Greater Middletown Military Museum. States Dec. 7 is an important date; it brought us into WWII. He mentions members of the military. We at the museum want to preserve that history and requests you vote in favor of 9F and 11E.

Laura Pelletier, President of AFL CIO and speaks 11D about the Trans Pacific partnership, extends a thanks to all veterans. The Trans Pacific Partnership is a trade deal that Congress is considering; it is the local people who deal with it. We passed NAFTA in the early 1990's and when she worked them over 5,000 worked for Pratt and Whitney; 30,000 were employed in Connecticut and today 90% of their employees are outside the U. S. That is what happens with bad deals. This agreement gives countries like Vietnam special trading status. It gives countries without food inspections, you don't want to eat that food grown in those areas. When you have this resolution before you, I urge bipartisan support.

**6. Public Hearing on Agenda Items Closes.**

The chair seeing no further members of the public wishing to speak, closes the public hearing at 7:30 p.m.

**7. Mayor requests Council Clerk to read appropriation and bond ordinance requests and the Certificate of Director of Finance.**

Appropriation Request:



CITY OF MIDDLETOWN

MAYOR'S OFFICE  
MUNICIPAL BUILDING

NOTICE OF PUBLIC HEARING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **MONDAY, December 7, 2015 at 7 p.m.** to consider and act upon the following:

- |                   |   |
|-------------------|---|
| A. Mayor's Office | \$1,000, Account No. 1000-27000-53285, VITA Program, General Fund.          |
| B. Arts Office    | \$23,723, Account No. 1000-01000-53460-0011-00500, Kids Arts, General Fund. |

Any and all persons interested may appear and be heard.

ATTEST:

  
MAYOR DANIEL T. DREW  
Mayor

Dated at Middletown, Connecticut, 24th day of November, 2015.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the (860 638-4812 (TDD/TTY) or the Town Clerk's Office at (860) 638-4910 at least ten days prior to the scheduled meeting.

Certification of Finance Director

MEMORANDUM

TO: His Honor, Mayor Daniel T. Drew and  
Members of the Common Council

FROM: Finance Department

DATE: December 4, 2015

RE: Certification of Funds

This is to certify that funds sufficient to meet the appropriations requested at your meeting on December 7, 2015 are available as follows:

General Fund	\$24,723
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Respectfully submitted,  
  
Carl Erlacher  
Director of Finance &  
Revenue Services



**A. Mayor's Office \$1,000 Account No. 1000-27000-53285, VITA Program, General Fund.**

**(Approved)**

Councilman Robert Blanchard reads and moves for approval the appropriation request for the Mayor's Office \$1,000 Account No. 1000-27000-53285, VITA Program, General Fund. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Eugene P. Nocera. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**B. Arts Office \$23,723, Account No. 1000-01000-53460-0011-00500, Kids Arts, General Fund.**

**(Approved)**

Councilman Giuliano states most of us are familiar with the Kids Circus and it was a trendsetting program beyond Connecticut. More recently we have fallen behind the curve and this will make the program the trendsetting program it is. Councilman Faulkner states he will support this and agrees with my colleague and this will help the Playhouse. The Circus is important; not many cities or States have a lot of programs that bring the whole city out; the more we do events and activities like that, the better we will be. I encourage everyone every year to come out to the Circus. I like to see us continually grow our own artists. I will support this. Councilman Santangelo states we just demonstrated that our community pays attention to them and I would like to commend the Arts community for paying attention to the kids; they approached us and the Arts Commission to meet their family's needs. Councilman Pessina states he will support this; it is a win/win for our City. This is a conduit for children to express themselves with the Arts and Arts has been an integral role in their lives to express themselves. The chair also urges unanimous support of this. It is an incredible event. This year's was particular fun especially for me and Councilman Giuliano because we got to hit each other with pies. Councilman Blanchard will support this as a huge supporter of the Arts and it keeps the program competitive. He is happy to see it will remain competitive.

Councilman Robert P. Santangelo reads and moves for approval the appropriation request for the Arts Office \$23,723, Account No. 1000-01000-53460-0011-00500, Kids Arts, General Fund. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Eugene P. Nocera. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**8. Old Business.**

**(None)**

**9. Department, Committee, Commission Reports and Grant Confirmation Approval.**

**A. City Clerk's Certificate**

**(Approved)**



City of Middletown  
City & Town Clerk's Office  
245 deKoven Drive  
Middletown, CT 06457

Certification

I, Linda Bettencourt, City and Town Clerk of the City of Middletown and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on November 2, 2015 at 7:00 p.m. and the special meetings on November 2, 2015 at 6:00 p.m. and November 17, 2015 at 7:00 p.m., have been advertised in the local newspaper.

Dated at Middletown, Connecticut, this 4<sup>th</sup> day of December, 2015.

Attest:

*Linda Bettencourt*  
Linda Bettencourt  
City & Town Clerk



❖Phone (860) 638-4910      ❖Fax (860) 638-1910      ❖TDD (860) 638-4812

B.      **Monthly Reports:**  
            **Finance Department - Transfer Report to November 19, 2015**  
**(Approved)**

Transfers of Funds - Operating Budget Accounts					
From10/27/15			To11/19/15		
FY 2015-2016					
Date	Department	Budget Item	From Account No.	To Account No.	Amount
11/09/15	Sanitation	General Vehicle Services	2020-40000-53510		(700.00)
		Uniform Allowance		2020-40000-51950	700.00
11/09/15	Landfill	Site Improvements	2380-22000-55417		(30,000.00)
		Repairs/Maintenance		2380-22000-53520	30,000.00
11/09/15	PW/Recycling	Contractual Services	1000-22000-55185-0222		(2,000.00)
	PW/Garage	Tires		1000-22000-53530-0225	2,000.00
11/16/15	Recreation	Misc Supplies	1000-32000-53115-0321		(1,000.00)
		General Administration		1000-32000-52110-0321	1,000.00
11/16/15	IT	Stipend	1000-03500-51370		(4,000.00)
		Salaries & Wages, PT Perm		1000-03500-51215	4,000.00
11/17/15	Registrar	Salaries & Wages, PT Perm	1000-09000-51215		(2,000.00)
		General Administrative		1000-09000-52110	2,000.00
					0.00

C. Grant Confirmation and Approval - Board of Education, Various Grants (Approved)

CITY OF MIDDLETOWN  
MUNICIPAL BUILDING  
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL  
OF THE FOLLOWING GRANT

Grant Number: 239

Date of Request: 11/18/2015

Name of Grant: as listed below

Amount Requested: \$653,701.41

Code: 2450-33000-59405-X-03025

Grant Period: From: 7/1/2015 To: 6/30/2016

Rev Code: 2450-33000-43480-X-X

Type of Grant:

Amount Loaned from General Fund: \$0.00

Department Administering Grant: Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:  
2027 - 21st Century Community Learning - Keg \$165,530.00; 2366 - YSB - Enhancement (\$370.00); 2371- Even Start Fam Lit Pgm (7,421.00); 2389 - Bilingual Education \$1,944.00; 2417 - Out of Town Magnet School Trans \$14,300.00; 2393 - School Readiness Coord \$66,667.00; 2433 - NSLP Equipment (\$624.00); 2716 Parent Leadership - PLTI & PEP \$31,000.00; 2722 - United Way Discover \$8,473.00; 2729 - Educational Incentive \$49,500.00; 2753 - Even Start Fam Lunch Pgm \$2,000.00; 2764 - Champions for Healthy Kids \$6,634.25; 2765 - School Climate Transformation - Keg \$4,700.00; 2766 - After School Pgm - SP, SN, B \$44,244.00; 2767 - REGI Incentive \$2,500.00; 2768 - NEAT JRB \$10,000.00; 2799 - Food Services \$ 78,211.52; 2721 - SPED Medicaid \$3,757.92; 2732 - Swaim Strings Pgm \$6,515.00; 8001 - Retirees/COBRA Ins \$113,451.23; Workers Comp \$3,082.04; 8004 - Preschool Pgm Fees \$9,109.00; 8009 - Maintenance/Rentals \$2,781.25; 8011 - Chromebook Replacement Fund \$5,220.00; 8021 - Student Guardian Bus Camera \$1,080.00; 8033 - Adult Ed Receipts \$355.00; 8034 - ADED - Enrichment \$9,503.93; 8035 - ADED Other Receipts (\$4,508) - this money was moved into other ADED funds; 8036 - Even Start Family Learn Pgm Receipts \$3,336.00; 8037 - Even Start Receipts \$70.00; 8093 - Fingerprinting Receipts \$575.25; 9010 - Keigwin Parent Fees \$720.00; 9151 - Student Activities WWMS \$1,282.02; 9040 - Youth Services Receipts \$82.00.Total Special Programs through 10/19/15 \$10,190,359.75 ADDITIONS \$653,701.41 Total Special Programs Through 11/18/15 \$10,844,061.16.

Signature: Patricia Charles

Requested by: Patricia Charles, ED.D.

Status: 11-18-15

Status Date:

D. Grant Confirmation and Approval - Board of Education - Keigwin Fire Alarm Project (Approved)

CITY OF MIDDLETOWN  
MUNICIPAL BUILDING  
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL  
OF THE FOLLOWING GRANT

Grant Number: 240

Date of Request: 11/19/2015

Name of Grant: Keigwin Fire Alarm Project

Amount Requested: \$49,043.00

Code: 2450-33000-59405-X-03028

Grant Period: From: 7/1/2015 To: 6/30/2015

Rev Code: 2450-33000-49145-X-03028

Type of Grant:

Amount Loaned from General Fund: \$0.00

Department Administering Grant: Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:  
Additional grant dollars received from State in the amount of \$49,043.00. Prior grant confirmation #203 authorized acceptance and a loan of \$83,242.00 Total Grant received = \$132,285.00.

Signature: Patricia Charles

Requested by: Patricia Charles, ED.D.

Status:

Status Date:

E. Grant Confirmation and Approval - Middletown Arts/Supporting Arts in Place (Approved)

CITY OF MIDDLETOWN  
MUNICIPAL BUILDING  
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL  
OF THE FOLLOWING GRANT

Grant Number: 238

Date of Request: 11/4/2015

Name of Grant: 2016-SAP-22056/Supporting Arts in Place

Amount Requested: \$6,930.00

Code: 3092-01000-53456-0011-x-2016-x

Grant Period: From: 7/1/2015 To: 6/30/2016

Rev Code: 3092-01000-43456-0011-x-2016-x

Type of Grant: STATE

Amount Loaned from General Fund: \$0.00

Department Administering Grant: Arts & Culture

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:

Grant funds are to be used for a variety of operational and program functions that advance and promote the cultural assets in the City. (general operating support)

Signature: [Signature]

Requested by: Stephan Allison

Status:

Status Date:

F. Greater Middletown Military Museum - Business Plan (Approved)  
See file K:\Review\Resolu\military museumbusinessplan.pdf

G. Youth Service Advisory Board Letter (Approved)

MY  
SB

Middletown Youth Services Bureau

372 Hunting Hill Avenue, Middletown CT 06457  
T 860 854 6030 • F 860 854 6028

VISIT US ONLINE  
middletownyouthservices.org

October 22, 2015

Members of the Common Council  
C/O Marie Norwood  
245 deKoven Drive  
Middletown, CT 06457

Dear Members of the Common Council:

We, the undersigned, members of the Youth Services Bureau Advisory Board were disappointed to learn of the Common Council's decision to amend the recommended funding levels for the Educational Incentive Challenge Grant. This change left the Board feeling the Council did not respect the intensive process we went through to determine the allocations of these grant dollars.

Each advisory board member spends many hours reading and scoring each written proposal. We then meet with all the applicants to listen to each representative describe their program in an oral presentation and conduct a question and answer portion for each as well. The Advisory Board members then meet again to discuss, rank, and deliberate over the merits of each program and how we can best serve the youth of our community.

While we understand our role is advisory in nature, we respectfully request the reason why the Council felt the significant work of the Advisory Board should be disregarded and if there needs to be a clarification of our role in this process.

Sincerely,  
The Undersigned

Rachel Angle  
Michael Awdziejewicz  
Kyle Barreuther  
Dr. Patricia Charles, Ed.D  
Connor Dale  
Sebastian Guiliano  
Cheryl Johnson  
Joanne Jenkins  
Maryn Whittaker

## H. Electricity Rates and Contract Extension (Approved)

**DATE:** November 20, 2015

**TO:** Members of the Common Council

**FROM:** John Hall

**Tina Gomes**

**RE: Memo on Electricity Rates and Contract Extension**

On November 18, we met with representatives of Secure Energy Solutions (SES) -- Energy Market Specialist Mike Niziankowicz and Attorney Erik Ness -- to discuss the commercial electricity market and whether the City should pursue an electricity power purchase agreement beyond the term of our current contract, which ends in December, 2016. SES has very effectively helped the City time our electricity purchases to coincide with low natural gas prices in order to lock in favorable electricity rates, such as we now enjoy.

As a result of this meeting and the explanations of market factors offered by SES, it appears that it would be very prudent for the City to extend our contract with Constellation beyond Dec. 2016. The following points support this view.

1. Natural gas rates, which are a principle driver of electricity costs, are currently at a 15 year low and it seems very unlikely that they will go lower. (See NYMEX Monthly Settlement History.)
2. Although natural gas prices are currently low, electricity generation rates for 2016 and beyond have actually risen lately, and are expected to rise more, due to natural gas pipeline constraints (significantly increasing the cost to deliver natural gas during high demand periods) and higher capacity costs. Capacity costs result in fees collected from electricity users to provide financial incentives for the construction of new power plants needed to maintain or expand the capacity the whole system in order to meet peak demand. Capacity fees are raised when older plants are retired and new ones are needed, which is apparently the case at present. In short, both natural gas pipeline and generation plant capacity limitations are expected to put upward pressure on electricity generation costs for the coming years.

The rates for the generation portion of the City's electricity bills in recent years are as follows. (Note that these figures do not include the "distribution" portion of the electricity bill.)

2007-2010 \$.0895

2011 \$.0996

2012- 2014 \$.0855

2015-2016 \$.0716

As this record shows, our current rate is lower than any rate we have paid since 2007. SES has obtained electricity pricing from Constellation for the 36 month period after our current contract expires in December 2016. The rate is \$.0846, not as low as our current rate, but still lower than the rates we have paid in other recent years. SES advises us that this rate is very likely to be lower than Eversource's standard offer rate for the time period in question. The Eversource standard offer for January 2016, for example, is \$.0937.

If we accept the rate of \$.0846 (which may vary slightly depending on when we sign a contract) it will have a budgetary impact for FY 2017-2020. Assuming an annual electricity consumption of 7,900,000 kWh by the City, and 4,600,000 by the Water and Sewer Department, this slightly higher but still attractive rate would raise expenditures on electricity by the following amounts (all other factors remaining constant).

General Fund Water & Sewer

FY 2016 (current year) No impact No impact

FY 2017 + approximately \$51,350 \$29,900

FY 2018 + approximately \$102,700 \$59,800

FY 2019 + approximately \$102,700 \$59,800

While we do not look forward to paying more for electricity in upcoming years, we need to face the strong likelihood that, without this proposed contract extension, our electricity costs for the upcoming years will go up by even more, perhaps considerably more.

We realize the locking in electrical rates at any moment in time carries the risk that a better rate might be found if we waited or sought more pricing options. However, we believe that the risks of higher rates in the future outweighs any possibility of getting lower rates by waiting, especially since the market becomes more volatile as the heating season begins.

For every 1/10 of one cent change in the electricity rate, the annual experience to the City for electricity rises by approximately \$12,400. An increase of 1 cent per kWh would increase the annual charges by \$124,000. As noted above, Eversource's standard offer for January 2016 is already nearly 1 cent higher than the rate we are offered now by Constellation for years 2017-2019.

As a result of this meeting and the information gathered, we have recommended that the Mayor sign a three-extension with Constellation. Energy immediately to lock in with this rate.


Should any Council Member have any questions or concerns, please direct them to John Hall at 860-398-3771 or Tina Gomes at 860-638-4803.

**I. Contingency Fund Transfer  
(Announced)**

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MEMORANDUM

**TO:** Carl Erlacher  
Finance Director

**FROM:** Daniel T. Drew   
Mayor

**DATE:** December 4, 2015

**RE:** Contingency Fund Transfer

Please transfer \$200.00 from the Mayor's contingency fund into account number 1000-27000-57030-0708-00000-0000-000 (Commy: Misc Expense) to help pay for 6<sup>th</sup> annual women's health conference.

cc: Marie Norwood, Council Clerk

Councilman Thomas J. Serra reads and moves for approval all Department, Committee, Commission Reports and Grant Confirmation Approvals, including agenda items 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, and 9I. Councilman Sebastian N. Giuliano seconds the motion.

Councilman Faulkner wants to address the Youth Services Advisory Board and the letter sent regarding the changes to the educational grant. He appreciates their communication and would have responded but he was overseas. It is important to note the Council does take the committee members activities and efforts seriously and appreciates what they do. After the election there is usually time for training and one of the things that come up is to explain how things work. But for this time, he did get the letter and one of the Council members forwarded the minutes that it was discussed before the vote was taken.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Eugene P. Nocera. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**10. Payment of all City bills when properly approved.**

Councilman Thomas J. Serra reads and moves for approval Payment of all City bills when properly approved. Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Eugene P. Nocera. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**11. Resolutions, Ordinances, etc.**

**A. Honoring David Bauer**

(Approved)

**Resolution No. 140-15**

**File Name**      **ccbauerretire2015**

**WHEREAS**, David Bauer was sworn in to a fourth term on the Common Council on November 12, 2013 after previously serving on the Council from January 2006 to November, 2011; and

**WHEREAS**, David served on the Finance and Government Operations Commission overseeing the financial aspects of the City; he served on the Public Works and Facilities Commission which did the first study in many years on the City's parks, trails, and open space; and

**WHEREAS**, David has been a proponent of getting the City to budget certain expenses like infrastructure, CNR, technology in the operating budget and setting a long term plan for City spending to make such budgeting feasible for the taxpayer; and

**WHEREAS**, David sat on the Water Pollution Control Authority and the Mattabassett District Board where he worked diligently to gain Middletown's membership to the district and where he continues to work for Middletown as part of the Board overseeing the expansion of the district; during his term on the WPCA, they worked with the town of Berlin to provide water and sewer to Middle Street to help with Middletown's continued economic development; and

**WHEREAS**, he also served on the Recreation and Community Services Committee, the Clean Energy Committee, and on the Middletown Resource Recovery Committee to ECCRA; and

**WHEREAS**, David is active with WESU, hosting a show on Monday's concerning public matters affecting greater Middletown; he hosts a long standing show on Comcast Cable Television Channel 15; and he is an amateur photographer and has shown his photographs at the Buttonwood Tree.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we thank David Bauer for his years of service to the City of Middletown. Middletown continues to grow because of the decisions and leadership shown by David during his term in office. He worked for Middletown and its financial, cultural, and economic health and he will be remembered for keeping Middletown citizens as his focus for the votes he has made on the Council floor; and

**BE IT FURTHER RESOLVED:** That we wish David good health and best wishes for all his future endeavors. We hope he continues with his passion for photography and keeps his voice heard in Middletown.

Councilman Giuliano reads the resolution honoring David Bauer and in keeping with Councilman Bauer's wishes will be silent after that. Councilman Serra states he will not be silent; he got to know Councilman Bauer this term. His resolve and conscientiousness and where he has shown this is the Mattabassett district where he protects the City's interest and his appointment back onto that commission is important. Councilman Santangelo states like Councilman Serra we had a chance to talk with David. The only thing I want to do is I want to hear his no after payment of all bills. He has his own sense of humor. The Chair states he is an excellent photographer especially of the Connecticut River at sunset and if you get a chance to look at his work, I ask you to do so. He states the resolution is approved by acclamation if there are no objections.

**B. Approving the dates for the Community Public meetings to be held quarterly on January 14, April 14, July 14, and October 13, 2016.**

(Approved)

**Resolution No. 141-15**

**File Name**      **cccommunitymtgdates2016**

**WHEREAS**, the Common Council rules provide for a quarterly community meeting beginning in January of each year whereby members of the public are given an opportunity to raise issues of concern before the Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the Community Public Meetings will be held on the following dates: January 14, 2016, April 14, 2016, July 14, 2016, and October 13, 2016.

Councilman Carl R. Chisem reads and moves for approval the dates for the Community Public meetings to be held quarterly on January 14, April 14, July 14, and October 13, 2016. Councilman Gerald E. Daley seconds the motion.

Councilman Faulkner takes the opportunity to request that we publicize the meetings a lot better because it is important that the public knows they have access to the Council and freedom to speak on any topic they wish which is the purview of the Council. We need to publicize it in a more inviting way than we do now, if we do at all.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Eugene P. Nocera. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**C. Approving filling the vacancy as a Planning and Zoning alternate left by the resignation of Philip Pessina by appointing Corrine Dorsey to November 14, 2017.  
(Approved)**

**Resolution No. 142-15**

**File Name** ccpandzalternatereplacementtonov2017

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That Corrine Dorsey be approved to fill the vacancy of the Planning and Zoning, Alternate, left by the resignation of Philip Pessina with said term to noon, November 14, 2017.

Councilman Sebastian N. Giuliano reads and moves for approval filling the vacancy as a Planning and Zoning alternate left by the resignation of Philip Pessina by appointing Corrine Dorsey to November 14, 2017. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Grady L. Faulkner, Jr., Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 0 nay votes by no one and 1 absent by Councilman Eugene P. Nocera. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

The chair asks for a motion to waive the rules to allow Ms. Dorsey to comment. Councilman Pessina so moves and is seconded by Councilman Giuliano; the vote is unanimous, with eleven aye votes (Councilman Nocera is not in the chamber). Ms. Dorsey states she thanks God and the Council for their confidence in her as an alternate on Planning and Zoning and she will work bipartisanly for the people of Middletown. He thanks Ms. Dorsey.

**D. Approving opposing the Trans-Pacific Partnership agreement without restructuring the agreement to promote equity for the U. S.  
(Approved)**

**Resolution No. 143-15**

**File Name** cctppopposingresolut

WHEREAS, The growing trade deficits, driven by the North American free Trade Agreement, China's accession to the World Trade Organization, and the U. S.-Korea Trade Agreement have displaced 700,000 jobs and 3.2 million jobs, and 75,000 jobs respectively; and

WHEREAS, under NAFTA-style trade rules, the U. S. annual trade deficit has increased dramatically from \$70 billion in 1993, the year before NAFTA went into effect, to more than \$508 billion in 2014; U. S. employment in manufacturing dropped by 5 million from 2000 to 2015; and

WHEREAS, NAFTA and all but two of the U. S. trade deals that followed it include special legal rights for foreign investors, known as "investor-to-state dispute settlement" or ISDS, that allow foreign firms to bypass state and federal courts to challenge state and local laws, regulations and administrative judicial decisions in international tribunals; and

WHEREAS, foreign investors already have used NAFTA's ISDS provisions to challenge decisions regarding local building permits, state bans on toxic chemicals and decisions of state courts; and

WHEREAS the Trans-Pacific Partnership (TPP) has been negotiated in secret, effectively shutting state and local governments out of the process, limiting our ability to influence its rules to ensure the people of Middletown, Connecticut can participate in the benefits of trade; further, this agreement is likely to include provisions locking in monopoly protections to expensive specialty drugs called biologics and constrict the government's ability to limit spending on drugs, potentially increasing drug costs for the government and all Americans; and

WHEREAS, given the enactment of fast track trade negotiating authority, states, localities and their citizens will have no opportunity to correct shortcomings in the TPP since its text will not be made public until it is final and no longer can be improved; and

WHEREAS, the offshoring of manufacturing and service jobs deprives local and state governments of sorely needed revenues, jeopardizes livelihoods of millions of public servants and construction workers especially where jobs depend upon infrastructure building, repair and maintenance; the powerful voice of global corporations in the formation of U. S. free trade agreements has advanced an agenda that undermines the public interest and these U. S. trade deals of the past 24 years have devastated families and entire communities and can permanently reduce lifetime earnings for hundreds of thousands of workers; and

WHEREAS, the long decline of the American manufacturing base, exacerbated by bad trade policies that reward outsourcing, has undermined our economic security and poses a direct threat to our national security.

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we call upon our elected officials in the U. S. Senate and U. S. House of Representatives to oppose the Trans-Pacific Partnership (TPP) and any similar trade deals if they fail to restructure the failed policies of the past; and

BE IT FURTHER RESOLVED: That to support new trade deals such as the TPP, the trade agreements should promote equity for the U. S. and require the entire trade negotiation process to ensure the inclusion of the voices of workers, farmers, small businesses, families and communities and that their concerns be addressed; and

BE IT FURTHER RESOLVED: That to achieve equity in trade agreements such agreements should include provisions to:

- Exclude investor-to-state dispute settlements (ISDS) and other provisions that favor foreign companies over domestic ones and undermine public choices;
- Ensure that countries cannot undercut U. S. based producers with weaker labor and environmental laws and enforcement
- Ensure that the U. S. will engage in robust enforcement of trade rules, including labor and environment rules;
- Include strong rule of origin to promote economic growth and job creation in the U. S.
- Promote high standards of protection for workplaces, products, and natural resources rather than promoting a race to the bottom;
- Put the interest of people and planet over the interests of private profit.

Fiscal Impact: None

Councilwoman Mary A. Bartolotta reads and moves for approval opposing the Trans-Pacific Partnership agreement without restructuring the agreement to promote equity for the U. S. Councilman Robert P. Santangelo seconds the motion.

Councilman Giuliano is recognized and states he had concerns as to whether this was proper and in our purview. I addressed a number of questions to the city Attorney and with the Council's indulgence he would like to express those questions and the City Attorney's response. The first question where in the Charter of the City of Middletown the Common Council was given the authority to address such an issue. His response is there is no specific provision for resolutions in support of national or international issues. There are several that deal with the conduct of meetings and addressing matters of public concern. Chapter III, Section 3, meetings of the Council that provides for public comment. Does any State Federal, or public act create a role for the legislative branch of municipal government have a say in negotiation, ratification if necessary, or implementation of an international trade agreement involving the United States of America or is this only under the purview of the national government. His answer is as follows: I am not aware of any treating that allows for local government to carve out a role to negotiate, ratify or implement an international trade agreement. I have not reviewed the TPT treaty; I would not that the Be it resolved paragraph of the resolution on tonight's agenda does not seek to negotiate, ratify or implement; rather it calls upon our elected officials in the U. S. Senate and House of Representatives to oppose the TPT. Would the subject resolution adopted have any legal effect; if so what would effect in the sense of prohibiting or permitting Middletown's involvement in the TPT. It would, however, have a legal effect of speaking for speaking for the Council as a legislative body; Council speaks through its resolutions and if it wishes to speak on this issue it would have to be in the form of a resolution. Question 4: If it turns out the subject resolution is nothing more than symbolic or an expression of the sense of the Council, is that a necessary or proper exercise of the municipal legislative power. His answer is this. I am unaware of anything that would inhibit the Council to expressing its opinion as a body through such a resolution. In just a quick review, I notice that Council's previously taking up resolutions. Without going into them, there is past practice for it. To me, this is a close call and I think we are on thin ice when we do stuff like this. But frankly, this agreement is important enough and we always seem, the United States to get the short end of the stick. It's about time somebody urged someone to do a better job of negotiating. For what is worth, I will join you in voting for this.

Councilwoman Bartolotta is recognized by the Chair and states I respect everything that was read and say we need to speak up more often. We tend to say it is not on our level and above what we are involved in. Everyone has a voice and we need to start using it especially when it affects each and everyone one of us, from our health to our quality of life and the actual health of our Country. I am very happy to be the person who brought this forward and have the support of my Caucus to say that we do want to be heard and we believe change needs to be made and it needs to be made for all of us and not for a small portion. I would ask you again to please respect and vote for this for everyone.

Councilman Serra states there is past practice for this and I believe former Councilman Gaunichaux remembers this back in the day of 1979-81 the term "Buy American." We did a resolution and sent it to every single elected official in the state and as well as down in Washington. So I will support this 150%; we need to show our intent and show it strongly. Councilman Daley states surely there is past precedence and I remember a number of resolutions passed that were not under the direct purview of the Council. Resolutions express the sentiment of the Council and it is important of us to go on record as to where we stand on the Transpacific Partnership Agreement. Ms. Pelletier was eloquent in her explanation how this does have a local impact and it is critical to let our representatives in Congress know how vitally important to Middletown as well as to the Country as a whole. I therefore support it 100% as well taking a stand on this very important issue.

Councilman Pessina is recognized and states I am definitely supporting this. This is what our country is founded on; it is from local communities speaking up. You talk to people today and

they talk about jobs and the economy, but where is the protection for the working families. They need to be out there getting jobs and when you hear about the high amount of jobs being taken away from local families and our country, it really reflects negatively on us. It is about time and the community, and Middletown as always spoke to get this down, and we need to protect our families and our community and I am definitely supporting this. The Chair states he also believes there is a lot of precedence for this. Just three years ago this Council expressed its support for a repeal of the Citizen's United decision by the Supreme Court. As a local City Council perhaps the group of legislators is closest to the people of the Country and if all the local legislators expressed their support for a particular position, perhaps Congress would listen more. There was an article in the facetious paper the Onion, it is a satirical newspaper and the headline read that the American people hired a lobbyist to push their interests in Congress. It is kind of funny, but it also pushes the point that the people are not necessarily being heard anymore and this is an excellent way to be heard. On the substance of the actual issue the Transpacific Partnership would create a significant flight and significant exodus of jobs to the Asia Pacific regions, significantly more than we saw with NAFTA and these types of agreements are what create tax shelters abroad and people ask how companies can ship jobs overseas and have reduced tax burden here at home. This is exactly how it happens. The fact that the text of the TPP is not entirely available for the public should in and of itself be the most red of flags as we look to do this. For this council to be expressing its will on behalf of the people of Middletown is a positive thing and as Councilwoman Bartolotta said it is something we should be doing more of. Councilman Chisem states being part of the labor movement, he is glad to be part of a Council that is interested in moving forward on this. He thanks the Council for that.

The chair calls for the vote. It is 10 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski; and two abstentions by Council Members Faulkner and Salafia; 0 nay votes by no one and 0 absent by no one. The Chair states the matter carried with 10 affirmative votes, 2 abstentions, 0 in opposition and 0 absent.

**E. Approving the bid waiver in accordance with Section 78-10 of the Middletown Code of Ordinances to hire Moser, Pilon and Nelson Architects as the architect for construction of the Greater Middletown Military Museum at Veteran's Park.**  
(Approved)

**Resolution No. 144-15**

**File Name** pwmilitarymuseumarchitectbidwaiver

**Whereas**, an architect is required to assist with the construction of the Military Museum to be located at Veteran's Park; and

**Whereas**, Stephen Nelson of Moser, Pilon and Nelson Architects has intimate knowledge of this project because Mr. Nelson has been assisting the veterans with the architectural design and planning for the construction of the Military Museum from the project's inception; and

**Whereas**, time is of the essence for this project, as the City and the veterans would like a construction completion deadline by the Fall of 2016, when the Trees of Honor will be formally dedicated; and

Whereas, the City will save time and money by hiring Moser, Pilon and Nelson Architects as the architect for this project, instead of bringing in a new architect at this stage.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That a waiver of the requirement contained in Section 78-10 of the Middletown Code of Ordinances, which states that three (3) professional service proposals must be obtained for any project over \$2000, is approved so that the City may hire Stephen Nelson of Moser, Pilon and Nelson Architects, as the architect for the construction of the Military Museum at Veteran's Park.

**FINANCIAL IMPACT STATEMENT**

\$665,000 is available for the entire project and architectural services will be coming from this pool of funding.

Councilman Thomas J. Serra reads and moves for approval the bid waiver in accordance with Section 78-10 of the Middletown Code of Ordinances to hire Moser, Pilon and Nelson Architects as the architect for construction of the Greater Middletown Military Museum at Veteran's Park. Councilman Gerald E. Daley seconds the motion.

Councilman Serra states as you know the project has been hanging around for a while and it should be done. Finance and Government heard this, but I don't remember a Professional Service agreement coming to the Council before for a bid waiver. However, because this interpretation of this Finance and Government Operations Committee, it is here. The Committee endorsed this unanimously. In essence we are working on this that Professional Services is more streamlined. We encourage you to vote yes for this. The Chair states he sort of understands what you are saying. I am not sure how this is the appropriate legal mechanism; in fact, I think it is probably not. But, as an expression of the Council's will, it makes sense because the Professional Services Committee on behalf of our Veterans' community will honor this particular

architectural request since they have been involved since the beginning of the project. The Chair asks if there is any further discussion.

The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**F. Approving authorizing the Mayor to sign all documents necessary to implement the lease for the Whey Station at 180 Johnson Street, the former Remington Rand building.**

**(Approved)**

**Resolution No. 145-15**

**File Name pcdRemingtonWheyStationDec2015**

**WHEREAS**, at the November 4, 2015 Meeting of the Economic Development Committee, the members present agreed to move forward to the Common Council a proposed lease for Whey Station at the former Remington Rand building (180 Johnson Street).

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

That the Mayor is hereby authorized to sign all documents necessary to implement the lease for Whey Station at 180 Johnson Street.

**FINANCIAL IMPACT** –It is important to secure additional revenue to run the Remington Rand building and pay back the \$225,000 operating cost loan from the general fund. No impact on the general fund other than increasing the value of a city asset.

Councilman Gerald E. Daley reads and moves for approval authorizing the Mayor to sign all documents necessary to implement the lease for the Whey Station at 180 Johnson Street, the former Remington Rand building. Councilman Thomas J. Serra seconds the motion.

Councilman Faulkner states he will support this but want us to keep in mind that we do have a lot of vendors in town and perhaps we should look at doing something in general for them as well because this is a new concept and he sees it going on in a lot of cities where they have a lot of vendor food carts. This happens to be a little more established business because they have opportunities in other cities. He throws that out because of the opportunities at Remington Rand. Councilman Daley states to respond to Councilman Faulkner's concerns, the Whey Station was looking to lease about 1,000 sq. feet in the incubator space of the Remington Rand Building. The space will be used to store materials and equipment and because they have had great success and grown and expanded their business that they need this space. They cannot simply operate their business from a home. We have a number of food trucks that operate in Middletown, but this one has distinguished themselves. They were solicited to sell their goods at the xfinity in Hartford. They have had tremendous success and they are local people. This is what the incubator space is designed to do. It is to assist these companies as they grow. We entertain a variety of businesses seeking affordable space. He urges everyone to support this. Councilman Blanchard states he is happy to support this and supports the Whey Station twice a week when they show up at my office for lunch. This is what Middletown needs. This is a great business that has grown out of the back of a truck. It travels throughout the State and there is about a 1/2 hour wait for your sandwich. He is happy to see them grow and support this and a similar business model that comes before us.

Councilman Gerald E. Daley reads and moves for approval authorizing the Mayor to sign all documents necessary to implement the lease for the Whey Station at 180 Johnson Street, the former Remington Rand building. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**G. Approving the appointment of Blum Shapiro & Company, PC as the auditors for the City of Middletown, including financial statement audit, state single audit, federal single audit, and Education Form ED001 for June 30, 2016 through June 30, 2019 with the fees not to exceed \$84,150 for years 2016 through 2018 and \$86,500 for year 2019.**

**(Approved)**

**Resolution No. 146-15**

**File Name fiapprovingBlumasauditors2015-19**

**Be it resolved by the Common Council of the City of Middletown:** That the firm of Blum Shapiro & Company, PC, be appointed auditors for the City of Middletown, including Financial statement audit, state single audit, federal single audit, Education Form ED001 for the following fiscal years:

June 30, 2016 fee \$84,150

June 30, 2017 fee \$84,150

June 30, 2018 fee \$84,150

June 30, 2019 fee \$86,500

Financial Impact: An auditor is required to be appointed by Charter, Chapter VI, Section 4 and fees are considered during the budget process. There is no additional impact for fiscal years 2016, 2017, 2018. An additional cost of \$2,350 is requested for fiscal year 2019.

Councilman Eugene P. Nocera reads and moves for approval the appointment of Blum Shapiro & Company, PC as the auditors for the City of Middletown, including financial statement audit, state single audit, federal single audit, and Education Form ED001 for June 30, 2016 through June 30, 2019 with the fees not to exceed \$84,150 for years 2016 through 2018 and \$86,500 for year 2019. Councilman Robert P. Santangelo seconds the motion.

Councilman Serra states he has been on Finance committee for the last number of years and Blum Shapiro has guided the Finance Department as well as the Committee in various administrations and for ten years we have been guided from a double A- to a double A to a double A+ with their advice. We have also received multiple financial reporting awards relative to their guidance as well as our Finance Department. The Third reason to support this is look at the fee schedule; 3 years of the same cost and last year is only a couple thousand more. This is a great deal and great service. I urge everyone to support this. Councilman Nocera states as the former Board Chair he worked with the company and he has to commend the entire company for their expertise and their efficiency, promptness and people skills. It is a pleasure dealing with them. I look forward to dealing with them on the Council as well.

The chair calls for the vote. It is 11 aye votes by Councilman Eugene P. Nocera, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Gerald E. Daley, Councilman Robert P. Santangelo, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Sebastian N. Giuliano, Councilman Philip J. Pessina, Councilwoman Deborah A. Kleckowski, Councilwoman Linda Salafia; 1 nay votes by Councilman Grady L. Faulkner, Jr. and 0 absent by no one. The Chair states the matter carried with 11 affirmative votes, 1 in opposition and 0 absent.

**H. Approving the second amendment to the Master State and Municipal Lease/Purchase Agreement between the City of Middletown through the Board of Education and Honeywell Global Finance, LLC as assigned to Old National Bank, N.A. and authorizing the Mayor, Superintendent of Schools, and Director of Finance to negotiate and execute the documents necessary and in a similar form as attached to the resolution, to complete the second Amendment to the agreement.**

**(Approved)**

#### **Resolution No. 147-15**

**File Name      BoeHoneywellMunicipalLeasingConsul and**

**WHEREAS**, the City of Middletown, through the Middletown Board of Education, (the "Lessee") is a political subdivision of the State of Connecticut (the "State") and is duly organized and existing pursuant to the Constitution and laws of the State; and

**WHEREAS**, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee; and

**WHEREAS**, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding \$3,102,164, with interest accrued through July 24, 2015, ("Principal Amount") for the purpose of acquiring the property generally described as Honeywell equipment having been subject to Master State/Local Lease/Purchase Agreements ("Property"), and to be described more specifically in the Equipment Leases, is appropriate and necessary to the functions and operations of the Lessee; and

**WHEREAS**, Municipal Leasing Consultants, LLC ("Lessor") is expected to act as the Lessor under the Equipment Leases.

**WHEREAS**, the Lessee may pay certain capital expenditures in connection with the property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

**WHEREAS**, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

**NOW, THEREFORE, BE IT RESOLVED** that:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives and that entering into the Equipment Leases and financing the acquisition of the Property thereby is in the best interests of the Lessee. Such evaluation shall be available as a public record.

Section 2. The Lessee is hereby authorized to acquire and install the Property (the "Project") and is hereby authorized to finance the Project by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. Either one of the Mayor or Superintendent (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute general obligations of the lessee laws of the State.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose permitted under the laws governing the Lessee.

Section 8. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 9. As to each Equipment Lease, the Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the calendar year in which each such Equipment Lease is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code").

Section 10. The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

Section 11. This Resolution shall take effect immediately upon its adoption and approval.

Councilman Serra states according to the individual who discussed this at Finance and Government Operations, this will save about 1/4 million dollars.

Councilman Grady L. Faulkner, Jr. reads and moves for approval the second amendment to the Master State and Municipal Lease/Purchase Agreement between the City of Middletown through the Board of Education and Honeywell Global Finance, LLC as assigned to Old National Bank, N.A. and authorizing the Mayor, Superintendent of Schools, and Director of Finance to negotiate and execute the documents necessary and in a similar form as attached to the resolution, to complete the second Amendment to the agreement. Councilman Gerald E. Daley seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

**12. Mayor's Appointments.  
(Approved)**

**Transit District:**

Reappointment of Darryl Bullock to November 30, 2019  
Reappointment of Brian Dudek to November 30, 2019  
Reappointment of Steward Kristiansen to November 30, 2019

**Middletown School Readiness Council:**

Appointment of Maria Hinz

**Human Relations Commission:**

Appointment of Howard Thody to fill a vacancy to January 31, 2019.

**Mattabassett Regionalization Project Building Committee:**

Appointment of David Bauer to fill a vacancy.

**Student in Government Appointments:**

**Middletown Commission on the Arts:**

Appointment of Alexandra Porczak to July 1, 2015.

**Human Relations Commission:**

Appointment of Tamika Browne to July 1, 2015.

**Long Hill Estate Authority:**

Appointment of Caroline Kilian to July 1, 2015.

**Riverfront Committee:**

Appointment of Ania Grygorwicz to July 1, 2015.

The chair reads the appointments; he asks for a motion to approve. Councilman Serra moves the appointments for approval and his motion is seconded by Councilman Giuliano.

**Point of Information**

Councilwoman Kleckowski asks if the appointment for David Bauer should read the Mattabassett District; the Chair responds, no it is the building committee. Councilwoman Kleckowski states the Council Clerk had a question and it is resolved.

The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair declares the matter approved.

**13. Meeting adjourned.**

Councilman Thomas J. Serra reads and moves for approval adjourning the meeting.. Councilman Gerald E. Daley seconds the motion. The chair calls for the vote. It is unanimous to approve with 12 aye votes. The chair states the matter passes unanimously with 12 affirmative votes.

The chair declares the meeting adjourned at 8:07 p.m.

ATTEST:

MARIE O. NORWOOD  
COMMON COUNCIL CLERK